

AMENDED IN ASSEMBLY JUNE 19, 2008

AMENDED IN SENATE MARCH 27, 2008

SENATE BILL

No. 1401

Introduced by Senator Simitian
(Coauthor: Senator Cedillo)
(Coauthor: Assembly Member Salas)

February 21, 2008

An act to add Section 399.5 to the Military and Veterans Code, relating to ~~traumatic brain injury~~ *health* screening.

LEGISLATIVE COUNSEL'S DIGEST

SB 1401, as amended, Simitian. Armed Forces: traumatic brain injury *and post-traumatic stress disorder* screening.

Existing law provides for certain rights and privileges for active members of the Armed Forces, reservists, and veterans of the Armed Forces, including members of the California National Guard.

This bill would require the Secretary of the California Department of Veterans Affairs, or his or her ~~designee~~ *designees*, to assist an eligible member, as defined, or veteran in obtaining an appropriate health screening for traumatic brain injury *and post-traumatic stress disorder*, as described. A member or veteran would be eligible to receive the assistance when he or she returns to this state after service in specified combat zones. This bill would require the Secretary of the California Department of Veterans Affairs, or his or her ~~designee~~ *designees*, to develop a plan for outreach to eligible members and veterans, as described, regarding traumatic brain injury *and post-traumatic stress disorder*. This bill would also require the Adjutant General, or his or her designee, to develop a plan for outreach to eligible members of the California National Guard, who have returned from combat and remain

on duty, *regarding traumatic brain injury and post-traumatic stress disorder.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 399.5 is added to the Military and
2 Veterans Code, to read:

3 399.5. (a) (1) The Secretary of the California Department of
4 Veterans Affairs, or his or her designees, shall assist any eligible
5 member or veteran who returns or has returned to this state in
6 obtaining an appropriate health screening test for traumatic brain
7 injury *and post-traumatic stress disorder.*

8 (2) The eligible member or veteran must return or have returned
9 to this state after service.

10 (b) (1) In order to effectively provide the assistance required
11 by subdivision (a), the Secretary of the California Department of
12 Veterans Affairs, or his or her designees, shall develop and
13 implement a plan for outreach to eligible members and veterans
14 who have returned from combat. The Adjutant General, or his or
15 her designee, shall also develop and implement a plan for outreach
16 to eligible members of the California National Guard who have
17 returned from combat and remain on duty in order to effectively
18 provide the service required by subdivision (a).

19 (2) Each outreach plan shall provide information to eligible
20 members and veterans concerning traumatic brain injury *and*
21 *post-traumatic stress disorder*, the possible impacts associated
22 with traumatic brain injury *and post-traumatic stress disorder*,
23 and the right to screening services.

24 (c) For purposes of this section, all of the following apply:

25 (1) “Eligible member” means a member who served under Title
26 10 of the United States Code *as* designated by Executive Orders
27 Nos. 12744 and 13239 of the President of the United States.

28 (2) “Member” or “member of the Armed Forces” means a
29 member of the Armed Forces of the United States, including the
30 California National Guard, who is a resident of this state.

1 (3) “Military physician” means a provider who is under contract
2 with the United States Department of Defense to provide physician
3 services to members of the Armed Forces.

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